

House Study Bill 149 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

A BILL FOR

1 An Act relating to medical personnel authorized to withdraw a
2 specimen of blood from a person suspected of operating while
3 intoxicated.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321J.11, subsection 1, Code 2023, is
2 amended to read as follows:

3 1. a. Only a licensed physician, licensed physician
4 assistant as defined in [section 148C.1](#), medical technologist,
5 paramedic, or registered nurse, acting at the request of a
6 peace officer, may withdraw a specimen of blood for the purpose
7 of determining the alcohol concentration or the presence of
8 a controlled substance or other drugs. However, any peace
9 officer, using devices and methods approved by the commissioner
10 of public safety, may take a specimen of a person's breath or
11 urine for the purpose of determining the alcohol concentration,
12 or may take a specimen of a person's urine for the purpose of
13 determining the presence of a controlled substance or other
14 drugs. Only new equipment kept under strictly sanitary and
15 sterile conditions shall be used for drawing blood.

16 b. As used in this subsection, "*medical technologist*"
17 includes a person employed as a medical technician, emergency
18 medical technician-intermediate, mobile intensive care
19 technician, emergency medical technician-intermediate
20 defibrillator, or advanced emergency medical technician.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 Under current law, when a person is suspected of operating
25 a motor vehicle in violation of Code chapter 321J (operating
26 while intoxicated), only a licensed physician, licensed
27 physician assistant, medical technologist, or registered nurse,
28 who is acting at the request of a peace officer, may withdraw a
29 specimen of blood for the purpose of determining the alcohol
30 concentration or the presence of a controlled substance or
31 other drugs.

32 This bill adds paramedics to the list of persons authorized
33 to withdraw a specimen of blood. Under the bill, a person
34 employed as a medical technician, emergency medical
35 technician-intermediate, mobile intensive care technician,

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1 emergency medical technician-intermediate defibrillator, or
2 advanced emergency medical technician is considered a "medical
3 technologist" for purposes of Code section 321J.11(1).